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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RANSOM MARION CARTER III,

Defendant.

No. CR08-00814-PHX-DGC

**MOTION TO CONTINUE TRIAL**

**(1<sup>st</sup> Request)**

NOW COMES the defendant, Ransom Carter III, by and through undersigned counsel, and respectfully requests that this Court continue the trial date of June 8, 2010 for at least 60 days, with a corresponding continuance of the pretrial motions filing deadline. Counsel was appointed via CJA appointment on May 13, 2010 to represent Mr. Carter. Counsel has received no discovery regarding this matter, which involves a federal tax fraud conspiracy scheme chronicled in a 35-page indictment. Counsel needs time first to receive discovery from the government. Then counsel will need additional time to review said discovery in order to adequately advise Mr. Carter on the available courses of action, the comparative advantages of each, and to advise Mr. Carter on the best course of action. Counsel has contacted Assistant U.S. Attorney Frederick Battista, who has no objection.

1 Excludable delay under 18 U.S.C. §3161(h) (1)(F) and 8(A) will occur as a result  
2 of this motion or an order based thereon.

3  
4 RESPECTFULLY SUBMITTED this seventeenth day of May, 2010.

5  
6 By: s/Taylor W. Fox

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14 Attorney for Defendant

15 **MAIL CERTIFICATE**

16 **I HEREBY CERTIFY THAT ON THE SEVENTEENTH DAY OF MAY, 2010, I**  
17 **ELECTRONICALLY TRANSMITTED THE ATTACHED DOCUMENT TO THE CLERK'S**  
18 **OFFICE USING THE CM/ECF SYSTEM FOR FILING AND TRANSMITTAL OF A NOTICE OF**  
19 **ELECTRONIC FILING TO THE FOLLOWING CM/ECF REGISTRANTS: Judge David G.**  
20 **Campbell, Assistant U.S. Attorney, Frederick Battista**

21 BY: TAYLOR W. FOX

22  
23 : s/Taylor W. Fox